



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JLP:ddj
Docket No: 7084-99
April 19, 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on April 11, 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CNO memorandum 5420 N130D1/OU0211 of 23 March 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

5420
N130D1/OU0211
23 Mar 2000

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF SENIOR CHIEF
PETTY OFFICER [REDACTED]

Encl: (1) BCNR File #07084-99 with microfiche service record

1. The following provides comment and recommendation on Senior Chief Petty Officer [REDACTED] petition regarding Special Duty Assignment Pay (SDAP).
2. N130 recommends deny Senior Chief Petty Officer [REDACTED] petition.
3. While assigned to USS LAKE CHAMPLAIN, Senior Chief Petty Officer [REDACTED] served as Engineering Department Leading Chief Petty Officer from 01 OCT 94 to 17 JAN 97. He claims he is entitled to SDAP and requests payment for this amount of time.
4. In accordance with Navy policy, to receive SDAP a member must be assigned to and working in an authorized billet identified as a Special Duty Assignment (SDA). Also, the commanding officer must certify that a member is fully qualified for and serving in the billet before payment can start or continue. In his petition, Senior Chief Petty Officer [REDACTED] claims he performed the duties of the Shipboard Engineering Plant Program Manager. However, there is no supporting documentation that verifies his claim. Senior Chief Petty Officer [REDACTED] did serve as the Engineering Department Leading Chief, but this billet is not an authorized SDA. Therefore, he is not entitled to SDAP.
5. BCNR case file with microfiche service record is returned herewith as enclosure (1).

Victor Mickel
VICTOR D. MICKEL
Assistant, Enlisted Bonus
Program Branch